

REMARKS

This communication is a full and timely response to the final Office Action dated August 24, 2006. By this communication, claim 8 is cancelled without prejudice or disclaimer to the underlying subject matter, claims 1, 6, and 10 are amended, and claims 13-16 are newly added. Support for the additional subject matter can be found variously throughout the Specification, for example, on page 8, lines 23-29 and on page 9, lines 11-16. Claims 1-7 and 9-16 remain pending. Reconsideration and allowance of all pending claims are respectfully requested.

In numbered paragraph 3 on page 2 of the Office Action, claims 1-12 are rejected under 35 U.S.C. §103(a) as unpatentable over *Herz et al* (U.S. Patent No. 6,571,279) in view of *Esposito* (U.S. Patent No. 6,101,496). Applicant respectfully traverses this rejection.

Figures 1-3 show an exemplary embodiment in which at least one sensor detects the position at which a person or object is currently located. The sensor acquires the positional data with respect to a reference system that includes coordinates or dimensions that define the position of a person or object with respect to a location. The positional data acquired by the sensors is transformed into a location representing form, for example, in the form of coordinate value of a particular reference system. The location presenting forms, which are each associated with the corresponding reference system and with the hierarchy particular to their corresponding reference systems, respectively, are combined in a location set, which includes identifying a distance relationship in a hierarchical relationship between the locations, persons, or objects in the location set.

Applicant's claim 1 broadly encompasses the foregoing feature and recites, among other elements, forming location relations between the locations, persons, or objects within

so-called positional location sets, which includes identifying a distance relationship and hierarchical relationship between the locations, persons, or objects in the location set.

The *Herz* patent discloses a location information system that transmits user dependent information to certain users located in a defined spatial area around an information server. The *Herz* patent determines whether a user is located within the spatial delimited proximity to an information server, and transmits targeted information to the information server based on the determination. *Herz* teaches that one or more sensors located in a sensor subsystem 101 sense the presence of a user terminal device in a region located around a location enhanced information delivery system. The sensor subsystem transmits a location identifier to a database processor that accesses database memory to map the received location identification information with a user identifier to an information display device. The location identifier provides a means of sensing the presence of a user terminal device in a geographic vicinity of the location enhanced information delivery system. The *Herz* patent, however, fails to teach or suggest that the location identifier identifies a distance relationship or hierarchical relationship between locations, persons, or objects in a location set as recited in Applicant's claim 1. In fact, the Examiner acknowledges that the *Herz* patent fails to teach the formation step as recited in Applicant's claim and relies on *Esposito* to remedy this deficiency.

The *Esposito* patent is directed to a zip code matching system in which precise x, y locations are assigned to records that are not included a traditional geo-referenced library through an interpolation operation. To achieve this objective, *Esposito* teaches the use of distance relationships between locations in a reference system. *Esposito*, however, fails to teach or suggest a forming step that includes identifying a distance relationship and hierarchical relationship between each location, person, or object in the location set, as recited in Applicant's claim 1.

In summary, neither the Herz nor Esposito patents when applied individually or in the combination suggested by the Examiner, disclose forming location relations between any combination of locations, persons, or objects within the location sets, which includes identifying a distance relationship and hierarchical relationship between each location, person, or object in the location set, as recited in Applicant's claims. Accordingly, a *prima facie* case of obviousness has not been established and Applicant requests withdrawal of the rejection.

Newly added claims 13-16 broadly encompass the features illustrated in Figures 1-3. In particular, independent claim 13 is directed to combining the location representing forms in the form of positional vectors in forming positional vector relations between the locations, persons, or objects in the location sets. Applicant believes that claims 13-16 are allowable by virtue of the foregoing arguments made with respect to claim 1. Accordingly, Applicant requests favorable consideration and examination of the newly added claims.

Based on at least the foregoing amendments and remarks, Applicant believes that claims 1-16 are allowable and this application is in condition for allowance. Accordingly, Applicant requests a favorable review of the claims. In the event any issues remain, the Examiner is invited to contact the undersigned attorney.

Respectfully submitted,

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